# McDevitt & Miller LLP Lawyers

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Chas. F. McDevitt Dean J. (Joe) Miller Celeste K. Miller

January 5, 2015

#### Via Hand Delivery

Jean Jewell, Secretary Idaho Public Utilities Commission 472 W. Washington St. Boise, Idaho 83720

Re: IPC-E-14-26 Mountain Home Solar, LLC

IPC-E-14-27 Pocatello Solar 1, LLC IPC-E-14-28 Clark Solar 1, LLC

IPC-E-14-29 Clark Solar 2, LLC IPC-E-14-30 Clark Solar 3, LLC

IPC-E-14-31 Clark Solar 4, LLC

Dear Ms. Jewell:

Enclosed for filing, please find an original and seven (7) copies of Intermountain Energy Partner's Sur-Reply Comments for each of the cases listed above.

An additional copy of these documents and letter are included for return to me with your file stamp thereon.

Very Truly Yours,

McDevitt & Miller LLP

Dean J. Miller

DJM/hh Enclosures

# ORIGINAL

#### RECEIVED

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IDAHO PUBLIC<sup>1</sup> UTILITIES COMMISSION

Attorney for Mountain Home Solar, LLC, Pocatello Solar 1, LLC, Clark Solar 1, LLC, Clark Solar 2, LLC, Clark Solar 3, LLC, and Clark Solar 4, LLC

### BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION	) CASE NO. IPC-E-14-26
OF IDAHO POWER COMPANY FOR APPROVAL OR REJECTION OF AN	) ) SUR-REPLY COMMENT
ENERGY SALES AGREEMENT WITH	
MOUNTAIN HOME SOLAR, LLC, FOR THE SALE AND PURCHASE OF	THE WAS TING THOUSE
ELECTRIC ENERGY.	
IN THE MATTER OF THE APPLICATION	) CASE NO. IPC-E-14-27
OF IDAHO POWER COMPANY FOR	
APPROVAL OR REJECTION OF AN	
ENERGY SALES AGREEMENT WITH	
POCATELLO SOLAR 1, LLC, FOR THE	
SALE AND PURCHASE OF ELECTRIC	
ENERGY.	
IN THE MATTER OF THE APPLICATION	CASE NO. IPC-E-14-28
OF IDAHO POWER COMPANY FOR	
APPROVAL OR REJECTION OF AN	
ENERGY SALES AGREEMENT WITH	
CLARK SOLAR 1, LLC, FOR THE SALE	
AND PURCHASE OF ELECTRIC	
ENERGY.	

IN THE MATTER OF THE APPLICATION OF IDAHO POWER COMPANY FOR APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT WITH CLARK SOLAR 2, LLC, FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY.	) CASE NO. IPC-E-14-29 ) ) ) ) )
IN THE MATTER OF THE APPLICATION OF IDAHO POWER COMPANY FOR APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT WITH CLARK SOLAR 3, LLC, FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY.	) CASE NO. IPC-E-14-30 ) ) ) )
IN THE MATTER OF THE APPLICATION OF IDAHO POWER COMPANY FOR APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT WITH CLARK SOLAR 4, LLC, FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY.	) CASE NO. IPC-E-14-31 ) ) ) ) )

COMES NOW, Intermountain Energy Partners (IEP) and pursuant to Order No. 33203 submits these Sur-Reply Comments.

The purpose of these Sur-Reply Comments is to place into the Commission's formal Record for Decision (RP 281) the substance of an informal email communication between the undersigned and the Commission Secretary dated January 2, 2015. The substance of that email follows:

"On behalf of the above referenced projects, this is to advise that, after consideration [of] legal arguments and business practicalities, each of the above projects agree that the Commission may approve the Energy Sales Agreements in each case containing prices set forth in Exhibit E to the agreements as filed in those case, as adjusted in accordance with Replacement Exhibit E submitted in Initial Comments of Idaho Power dated November 20, 2014 and as further adjusted (in applicable cases) in accordance with the recommendations of Commission Staff as set forth in Staff Comments dated December 19, 2014.

While the projects believe there are reasonable legal arguments favoring approval of prices set forth in Exhibit F (as adjusted) to the agreements, in the interest of obtaining expeditious review and approval of the agreements, the projects will no longer assert those arguments, for the purposes of these cases.

In light of the above—which, to my knowledge, eliminates any remaining disputes—these matters may be considered fully submitted and may be placed on the Commission's Decision Agenda, hopefully for its January 5, 2015 decision meeting".

Dated this \_\_\_\_ day of January, 2015.

Dean I Miller

Attorney for Mountain Home Solar, LLC, Pocatello Solar 1, LLC, Clark Solar 1, LLC, Clark Solar 2, LLC, Clark Solar 3, LLC, and Clark Solar 4, LLC

## CERTIFICATE OF SERVICE

I hereby certify that on the day of January, 2015, I caused to be served, via the method(s) indicated below, true and correct copies of the foregoing document, upon:

Jean Jewell, Secretary Idaho Public Utilities Commission 472 West Washington Street P.O. Box 83720 Boise, ID 83720-0074 jjewell@puc.state.id.us	Hand Delivered U.S. Mail Fax Fed. Express Email	وه وه وه وه کلا
Kristine Sasser, Deputy Attorney General Idaho Public Utilities Commission 472 W. Washington St. Boise, Idaho 83720 kris.sasser@puc.idaho.gov	Hand Delivered U.S. Mail Fax Fed. Express Email	1 Pr. Cr. Cr. Cr.
Donovan E. Walker Randy C. Allphin Regulatory Dockets Idaho Power Company 1221 West Idaho Street P.O. Box 70 Boise, ID 83707 dwalker@idahopower.com rallphin@idahopower.com dockets@idahopower.com	Hand Delivered U.S. Mail Fax Fed. Express Email	الله وه وه وه

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